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RESOLUTION NO. 04-191

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING CHAPEL HILL/CRESTWOOD/BEDFORD/SUMMERFIELD LOOP STREET FROM THE NORTH LINE OF 13TH STREET NORTH TO SUMMERFIELD. SUMMERFIELD FROM THE WEST LINE OF THE CHAPEL HILL/SUMMERFIELD LOOP TO THE WEST PROPERTY LINE. SIDEWALK BE CONSTRUCTED ON THE EAST SIDE OF CHAPEL HILL FROM 13TH STREET NORTH TO THE NORTH LINE OF LOT 1, BLOCK 1, ON BOTH SIDES OF CHAPEL HILL NORTH OF LOT 1, BLOCK 1, AND THE CRESTWOOD/BEDFORD/SUMMERFIELD LOOP, AND THE NORTH SIDE OF SUMMERFIELD FROM THE WEST SIDE OF THE CHAPEL HILL/CRESTWOOD/BEDFORD/SUMMERFIELD LOOP TO THE WEST PROPERTY LINE. THAT THERE BE CONSTRUCTED A 20' WIDE EMERGENCY ACCESS ROAD FROM CRESTWOOD TO 13TH STREET NORTH, (NORTH OF 13TH, EAST OF GREENWICH) 472-83077, IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING CHAPEL HILL/CRESTWOOD/BEDFORD/SUMMERFIELD LOOP STREET FROM THE NORTH LINE OF 13TH STREET NORTH TO SUMMERFIELD. SUMMERFIELD FROM THE WEST LINE OF THE CHAPEL HILL/SUMMERFIELD LOOP TO THE WEST PROPERTY LINE. SIDEWALK BE CONSTRUCTED ON THE EAST SIDE OF CHAPEL HILL FROM 13TH STREET NORTH TO THE NORTH LINE OF LOT 1, BLOCK 1, ON BOTH SIDES OF CHAPEL HILL NORTH OF LOT 1, BLOCK 1, AND THE CRESTWOOD/BEDFORD/SUMMERFIELD LOOP, AND THE NORTH SIDE OF SUMMERFIELD FROM THE WEST SIDE OF THE CHAPEL HILL/CRESTWOOD/BEDFORD/SUMMERFIELD LOOP TO THE WEST PROPERTY LINE. THAT THERE BE CONSTRUCTED A 20' WIDE EMERGENCY ACCESS ROAD FROM CRESTWOOD TO 13TH STREET NORTH, (NORTH OF 13TH, EAST OF GREENWICH) 472-83077, IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. 99-103 adopted on March 16, 1999, is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to improve Chapel Hill/Crestwood/Bedford/Summerfield Loop Street from the north line of 13th Street North to Summerfield. Summerfield from the west line of the Chapel Hill/Summerfield loop to the west property line. Sidewalk be constructed on the east side of Chapel Hill from 13th Street North to the north line of Lot 1, Block 1, on both sides of Chapel Hill north of Lot 1, Block 1, and the Crestwood/Bedford/Summerfield loop, and the north side

of Summerfield from the west side of the Chapel Hill/Crestwood/Bedford/Summerfield loop to the west property line. That there be constructed a 20' wide emergency access road from Crestwood to 13th Street North, (north of 13th, east of Greenwich) 472-83077.

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 3. That the cost of said improvements provided for in Section 1 hereof is estimated to be **Five Hundred Eighty Thousand Dollars (\$580,000.00)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district.

SECTION 4. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

CHAPEL HILL 2ND ADDITION

Lots 1 thru 3 and 5 thru 26, Block 1

Lots 1 thru 10, Block 2

Lots 1 thru 9, Block 3

SECTION 5. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

That said Lots 1 & 2, Block 1, shall each pay 26,100/580,000 of the total cost; that Lot 3, Block 1, shall pay 52,200/580,000 of the total cost; that Lots 5 thru 26, Block 1; and Lots 1 thru 10, Block 2, and Lots 2 thru 9, Block 3, shall each pay 10,340/580,000 of the total costs; and Lot 1, Block 3, all in Chapel Hill 2nd shall pay 62,000/580,000 of the total cost payable by the improvement district.

Except when driveways are requested to serve a particular tract, lot, or parcel and shall be in addition to the assessment for other improvements. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 6. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 8. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested

thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 9. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, April 20, 2004.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SCHOFIELD, CITY CLERK

(SEAL)